

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

LOC BA TRUONG,

Plaintiff,

-vs-

Case No. 13-C-122

**JANET NAPOLITANO, Secretary of the
Department of Homeland Security,
ALEJANDRO MAYORKAS, Director, USCIS,
KAY LEOPOLD, Field Office Director, USCIS,**

Defendants.

DECISION AND ORDER

Loc Ba Truong filed a petition for *de novo* review of his application for naturalization. The respondents move to dismiss, arguing Truong failed to exhaust his administrative remedies. Truong did not respond to this motion, which is well-taken. Truong never obtained a hearing before an immigration officer, a prerequisite to district court review. 8 U.S.C. § 1421(c) (“A person whose application for naturalization under this subchapter is denied, *after a hearing before an immigration officer . . .*, may seek review of such denial before the United States district court . . .”) (emphasis added); *Salman v. Napolitano*, No. 6:11-cv-779-Orl-36DAB, 2012 WL 3155721, at *4 (M.D. Fla. Aug. 3, 2012) (§ 1421(c) “specifically implies that the applicant must complete the hearing, and provide all testimony deemed necessary by the USCIS”).

IT IS HEREBY ORDERED THAT the respondents' motion to dismiss [ECF No. 9] is **GRANTED**. The Clerk of Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 15th day of August, 2013.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge